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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,870	11/16/2001	Nancy Ann Book	P21172	7783
7055	7590	04/19/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			NGUYEN, QUYNH H	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/987,870

Applicant(s)

BOOK ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Response to Amendment***

2. Applicant's remarks filed on 12/9/04 have been entered. Claims 1, 2, 5, and 7-26 have been amended. No claims have been cancelled. No claims have been added. Claims 1-26 are still pending in this application, with claims 1, 5, 8, 15, and 23 being independent.

### ***Claim Rejections - 35 USC § 103***

3. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brennan et al. (U.S. Patent 5,329,578) in view of Wheeler Jr. et al. (U.S. Patent 5,583,920).

Regarding claim 1, Brennan et al. teach the steps of: receiving call data relating to a call from a calling party (Fig. 1a, caller 14) to a telephone number associated with the subscriber terminal (Fig. 2a, 101), the call data comprising the subscriber telephone number (Fig. 2a, 102 and col. 5, lines 2-4); the calling party is prompted to select one of leaving a voice message, paging the subscriber and connecting the call to the subscriber terminal (col. 12, lines 11-21); when the calling party selects leaving a voice message, connecting the call

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to a voice mail system (Fig. 2f and col. 12, lines 56-63); when the calling party selects paging a subscriber, receiving call back information, disconnecting the call and placing a second call to a paging system (Fig. 2e, 502).

However, Brennan et al. do not suggest that the steps of activating the call routing service based at least in part on instruction received over the Internet; the calling party selecting to connect the call to the subscriber terminal; if a PIN entered by the calling party is authorized, and connecting the call to the subscriber; and if not, connecting the call to the voice mail system.

Wheeler, Jr. et al. teach activating service functions by interacting with the Intelligent Peripheral (col. 35, line 49 through col. 36, line 40), the IP connects via the packet switched data communication networks to provide voice calls and broadband calls (col. 12 line 56 through col. 13, line 5); the caller is required to input a personal identification number (col. 31, lines 30-35 - PIN), when the PIN is authorized, connecting the call to the subscriber, if not connecting the call to the voice mail system (col. 32, lines 3-12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above-mentioned features, as taught by Wheeler, Jr. et al., in Brennan's system, in order to have an improved system that allows authorized user to activate telephone services to which the account is subscribed over the Internet, rather than having to place an order over the telephone with an operator in Central Office then waiting for days to have the desired services turned on or off; and authenticating callers before connecting to the subscriber; if the caller is not authenticated, connecting the call to the voice

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mail system so that the subscriber would review the voice mail message at the later time, then decides whether to return the call or not.

Regarding claims 2 and 10, Brennan et al. teach subscriber's schedule (col. 7, Table 4.0) to determine what action the system should take with the call when the caller is normally allowed to reach the subscriber within certain time periods, otherwise send the caller to voice messaging system which reads on the claimed feature of "storing the activation time period comprising start and stop times; determining whether a time of the call is within at least one activation time period; and when the time of the call is not within the activation time period, connecting the call to the subscriber".

Regarding claims 3, 4, 6, 12, 13, and 18, Wheeler, Jr. et al. teach if the PIN is not authorized, execute a voice mailbox of the called party (col. 32, lines 5-7). Obviously, when the PIN is not authorized or the caller cannot reach the called party, then the incoming calls would normally be transferred to the voice mailbox of the called party or a covering party such as an administrative assistant /secretary, if the called party has one, to complete the call.

Claims 5, 7, and 16 are rejected for the same reasons as discussed above with respect to claims 1 and 2. Furthermore, Wheeler, Jr. et al. teach suspending at a terminating switch (Fig. 1A, 17), the SCP 43, and the intelligent peripheral (IP 35, 37).

Claims 8 and 9 are rejected for the same reasons as discussed above with respect to claims 1 and 5.

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Claims 11, 14, 17, and 22 are rejected for the same reasons as discussed above with respect to claim 2. Furthermore, Wheeler, Jr. et al. teach a service management system SMS 41, connectable to the SCP 43, and the ISCP includes a terminal subsystem referred to as a SCE 42.

Claim 15 is rejected for the same reasons as discussed above with respect to claims 1, 5, and 8.

Claims 19-21 are rejected for the same reasons as discussed above with respect to claims 1, 2, and 11.

Claims 23-26 are rejected for the same reasons as discussed above with respect to claims 1-4. Furthermore, Brennan et al. teach a computer readable medium for storing a computer program (Fig. 1b, 1c, col. 4, lines 36-44, and col. 10, line 60 through col. 11, line 2).

### ***Response to Arguments***

4. Applicant's arguments filed 12/9/04 have been fully considered but they are not persuasive.

Applicant's arguments with respect to claims 1 and 23 are addressed in the above claims rejections.

Applicant argues that with respect to claim 5, Brennan et al. do not teach interaction between a service control point (SCP) and an intelligent peripheral that collects data from the calling party. Examiner respectfully disagrees. It was a 103 rejection and the secondary reference Wheeler teaches that (col. 25, lines 3-6) the routing choices (calling party input data) controlled by data tables stored

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in the IP or SCP 43 that resides in ISCP 40, and the IP communicates with the ISCP with regards to the information received from the calling party (col. 31, lines 19-43).

Applicant argues that claims 8 and 15 are distinguishable from Brennan because they recite implementation of AIN services. Examiner respectfully disagrees. Brennan et al. teach (col. 4, lines 45-52) that service node 10 is connected to host node 11 and the network 12 via ISDN Primary Rate Access link or an equivalent link able to carry voice and signaling information. Furthermore, they were 103 rejections and the secondary reference Wheeler teaches the implementation of AIN services.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Creamer et al. (U.S. Patent 6,028,917) teach access to extended telephone services via the Internet.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

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action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 4:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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qhn

Quynh H. Nguyen  
April 14, 2005

A handwritten signature in black ink, appearing to read "Ahmad F. Matar". The signature is fluid and cursive, with the first name "Ahmad" being more prominent than the last name "Matar".

AHMAD F. MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2700